

GOVERNMENT OF TELANGANA

ABSTRACT

Tribal Welfare Department - Appeal Petition filed by Smt.Thummala Rajitha W/o Raju R/o Narasaipally Village, Maddur Mandal, Warangal District against the orders of the District Collector, Warangal in the Proceedings, dated 13-08-2015 - Rejected - Orders - Issued.

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TRIBAL WELFARE(LTR)DEPARTMENT

G.O.MS.No. 58

Dated: 21-12-2016

Read the following:

1. Proceedings of the District Collector, Warangal District in Rc.No.C5/6308/2014, dt.13.08.2015.
2. Appeal Petition filed by Smt.Thummala Rajitha W/o Raju R/o Narasaipally Village, Maddur Mandal, Warangal District before the Govt, dt. 07.09.2015.
3. From the Collector and District Magistrate, WarangalLr.Rc.No.C5/6308 /2013, dated 16.08.2016.
4. From the Commissioner of Tribal Welfare, Telangana State, Hyderabad. Lr.Rc.No.2422/2016/TRI/TSV/VC-8, dated 15.12.2016

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ORDER

In the reference 1st read above, the District Collector, Warangal District, has issued proceedings on 13.08.2015 cancelling the Caste Certificate of Smt.Thummala Rajitha and the appellant has filed Appeal Petition before the Government on 07.09.2015.

2. In the reference 2nd read above, Smt.Thummala Rajitha W/o Raju R/o Narsaipally Village of Maddur Mandal has filed the Appeal Petition under section 7(2) of Act 16 of 1993 against the proceedings No. Rc.No.C5/6308/2014, dt.13.08.2015 of the Collector and District Magistrate, Warangal for cancellation of her S.T. Sugali Caste Certificate issued by the Mandal Revenue Officer, Ghanpur, Warangal District vide Rc.No.C/206/2005, dated 24.02.2005 before the Government within stipulated period from the date of issue of the Proceedings concerned. The Appeal Petition filed by the Petitioner was admitted.

3. The brief facts of the case are as follows:

- One Smt. Devarajula Kanaka Laxmi W/o Chandraiah R/o Narasaipally of Maddur (M) lodged a complaint stating that one Smt.Thummala Rajitha W/o Raju, who obtained the false ST-Sugali case contested & elected as sarpanch under ST reservation quota of woman in the G.P Elections and that she migrated to the village about (15) years back and their community is treated as BC all these years.
- On receipt of the complaint in this matter, a report has been called from the Revenue Divisional Officer, Jangaon. The Revenue Divisional Officer, Jangaon has enquired in this matter in the village and reported that, Smt.Thummala Rajitha's family migrated to Narasaipally village (10) years back and doing Labour Work & Fruits business for livelihood. Their ancestors catch birds and they called as "Pittalavaalu" in village.
- Thereafter the matter has been referred to District Level Scrutiny Committee under the provisions of Andhra Pradesh Scheduled Castes, issue of community, Nativity and Date of Birth certificate Rules, 1997 and the DLSC held on 31.10.2014, referred the issue to the District Tribal Welfare Officer, Warangal, to enquire in this matter.
- Accordingly the District Tribal Welfare Officer, Warangal has reported that, the appellant & their families have obtained ST Certificates in the name of Sugali caste, they constructed separate temple of their

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Goddess, they are having hunting nets and different types of hunting tools for hunting birds, their language is different it's like lambada language, their eating habits are different and during the visit, they are eating Mongoose.

- He further, reported that as per the census record of 1961, there is no resemblance of customs, traditions, dressing methods etc., and as per his enquiry there is no Sugali caste in Warangal District.
- Accordingly, the Joint Collector, Warangal has instructed the Revenue Divisional Officer, Jangaon to enquire into the admission records of appellant cousin brothers and collect the caste certificates of paternal side and to be verified Government Welfare Schemes like Old age pension and Indiramma Housing sanctioned list regarding which caste was entered in Welfare schemes.
- In this regard, the Tahsildar, Maddur Mandal has submitted that the report and stated that Thummala Rajitha's grandfather Kalia hails from Mallapuram (V), Yadagirigutta (M), Nalgonda District migrated 30 years back to Narsaipally (V) of Maddur (M), Warangal District. Her husband's forefathers also migrated from same village. He has reported that Thummala Rajitha and Thummala Salamma of Narsaipally village do not belong to S.T Community. School Admission records/ Pension records/ with respect to Appellant herein and the Government benefits sanctioned to the relatives of the Appellant, are as B.C in few cases upto the year 2009 and in few cases after 2012 they mentioned their caste as ST.
- In this scenario, the final DLSC meeting conducted on 16.07.2015 both compliant & above said appellant were present. The Revenue Divisional Officer, Jangaon has submitted detailed report on school admission records of all cousins with respect to the Appellant. On verification of School records of relatives of Appellant who were students of ZPHS, of Maddur Mandal viz., Thummala Tharshi s/o Istari (Brother-in-Law), Thummala Srinivas S/o Babu (Nephew), Kaliya Ramesh S/o Chitti Babu (Distant relative(Son-in-Law) who are related to Thummala Rajitha, it is found that in the Caste column of admission and withdrawal register the caste is mentioned as 'PITTALA' for the year pertaining to 2003 to 2009 (16 entries) and later corrected most of the entries as 'SUGALI' in respect of Thummala Vasantha D/o Kishan (Paternal uncle's daughter), Thummala Srinivas S/o Istari (Brother-in-law). The entries from 2012 onwards are made as 'Sugali-ST'. Further the Indiramma houses are sanctioned to Thummala Rajitha and her relatives under Backward Class Community in Indiramma I-Phase and later on during 2012-13, the Indiramma houses are sanctioned under ST category.

4. In view of the above facts, the DLSC has observed the following points in this case:

- The District Tribal Welfare Officer, Warangal informed that, there is no Sugali Caste in Warangal District and as per the Census record of 1961, there is no resemblance of customs, tradition, dressing methods etc.
- As per report of Revenue Divisional Officer, Jangaon there are contradictory recorded evidences. It is observed that the School admission records of students, Pension records, Indiramma housing record of beneficiaries, the caste of the individuals with "Thummala" surname are recorded as "Pittala(Backward Class)" up to 2009 and later on their caste is recorded as Sugali/ST to claim the benefits under ST category.
- As such, the DLSC met on 16.07.2015 has opined and decided that Smt.Thummala Rajitha (Appellant) and Thummala Shalamma of

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Nasaipally village of Maddur Mandal do not belong to "ST-Sugali" Category.

- Finally, the District Level Scrutiny Committee has concluded that the 'Sugali ST' certificates of Thummala Rajitha and Tummala Salamma of Narsiahpally village of Maddur village are not valid. As per G.O.Ms.No.05, Scheduled castes Development (POA.A2) Department, dated:08.08.2014, the caste 'Sugali' comes under Schedule Tribe community in Sl.No.18 and the caste 'Pittala' does not come under the Scheduled Tribe Community. As such, the DLSC committee recommended for cancellation of the Caste Certificate, which is issued infavour of Appellant.
- Accordingly, the findings of the DLSC were examine and keeping in view of the recommendation of the DLSC and exercise of powers conferred under section 5(i) of the AP (SC/ST/BC) issue of Community, Nativity and Date of Birth Certificate Rule 1997 communicated vide G.O.Ms.No.58, Social Welfare (J) Department, dated:12.05.1997 and adopted by the Government of Telangana vide G.OMs.No.5, Schedule Caste Development Department dated:08.08.2014, the 'ST Sugali' caste certificate issued in favour of Smt Thummala Rajitha W/o Raju (Appellant) and Smt. Thummala Shalamma W/o Istari R/o Narsaipally village of Maddur Mandal by Tahsildar, Maddur Mandal vide D.Dis.C/2394/2013, dated:08.07.2013 and D.Dis. C/2393/2013, dated:09.07.2013 were proved to be fraudulent.

5. Accordingly, the caste certificates 'SUGALI(SG)' issued in favour of Smt.Thummala Rajitha W/o Raju (Appellant) and Smt.Thummala Shalamala W/o Istari R/o Narsaipally village of Maddur Mandal by Tahsildar, Maddur Mandal vide D.Dis.C/2394/2013,datedL08.07.2013and D.Dis.C/2393/2013 dated:09.07.2013 respectively were cancelled by the District Collector.

6. Aggrieved by the orders of the District Collector, Warangal Smt.Thummala Rajitha W/o Raju R/o Narsaipally (V), Maddur (M), has filed the present appeal petition.

7. Smt.Thummala Rajitha has been given opportunity to submit detailed representation regarding her claim to be S.T and given opportunity of hearing. After hearing the matter was referred to the Institute of Tribal Cultural research and Training Institute, Hyderabad. They have summoned the complainant and Revision Petitioner and heard the appeal petition on 9.12.2016, and obtained information in the prescribed proforma.

8. The report of the Tribal Cultural Research & Training Institute is as follows:

"It is submitted that during hearing of the 9.12.2016 obtained detailed information from Thummala Rajitha w/o Raju, Sarpanch of Narsaipally Village, Maddur (M) of Warangal District in respect of her social status claim as belonging to Sugali tribe as she could not substantiate about her community claim as belonging to Sugali ST Community. Therefore the genealogical and ethnographic information has been obtained about her family and community along with documentary evidences in support of her claim.

It is submitted that Smt. Thummala Rajitha w/o Raju is an ordinary resident of Pittalagudem, Narsaipally village, Maddur Mandal, formerly Warangal District and presently Siddipet district informed that Sugali community is also known as Vaghri, Pittalollu and Pardhan in Rangareddy & Hyderabad districts. She also informed that their community has its own dialect called Whagri basha and she can speak the dialect.

The candidate claims to belonging to Kaliwala Clan and the other clans of her community are (1) Naukadwala, (2) Whagaiwala, (3) Dugavwala, (4) Chowkatwala, (5) Esliwala and (6) Sakathwala and they worship Naukad, Dughav, Devishal, Sakat, Isli and Chaukat goddesses.

In this regard it is submitted that Sugali/Lambadis tribe is divided into five phratries viz., (1) Bhukya (Rathod), (2) Vadthiya (Jadhav), (3) Chowhan, (4) Pamar, (5) Banoth (Ade) and they have their own dialect known as Gorvache or Gorboli. The Lambadis worship and pay reverence to the Seva Bhaya, Meraima and Seetala. The important traditional festivals are "Teej", "Seetala" and "Tulja Bhavani" and they regularly celebrate them.

The synonyms of the community, clan names, dialect and deities of worship furnished by Smt. Thummala Rajitha w/o Raju do not belong to Sugali/Lambadis tribe. Thus it is a clear case that Smt. Thummala Rajitha w/o Raju does not belong to Sugali tribe. Hence the orders passed by the District Collector, Warangal vide proceedings Rc.No.C5/6308/2014, dated 13.08.2015 cancelling her community certificate issued by the Tahsildar, Maddur vide D.Dis.No. C/2394/2013, dated 08.07.2013 as belonging to Sugali tribe appear to be correct."

9. In view of the above, Government after careful examination, the appeal petition of Smt.Thummla Rajitha W/o Raju is hereby rejected and it is ordered that she does not belong to Sugali Caste of S.T. community.

10. The District Collector, Erstwhile Warangal District shall take necessary action accordingly. The original record received from the District Collector, Erstwhile Warangal District is returned herewith.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

SOMESH KUMAR  
PRINCIPAL SECRETARY TO GOVERNMENT.

To  
Smt.Thummala Rajitha W/o Raju  
R/o Narasaipally Village, Maddur Mandal,  
Erstwhile Warangal District  
Smt. D. Kanakalaxmi, W/o: Chandraiah,  
R/o Narasaipally Village, Maddur Mandal,  
Erstwhile Warangal District  
The District Collector,  
Erstwhile Warangal District.  
The District Collector,  
Siddipet District.  
The R.D.O., Jangaon, Erstwhile Warangal District  
The M.R.O., Ghanpur, Erstwhile Warangal District  
The M.R.O., Maddur, Siddipet District.  
The Special Government Pleader for Social Welfare,  
High Court of Andhra Pradesh and Telangana State, Hyderabad w.r.t. C.C.No. 370 of  
2016 in W.P.No. 29661/2015 filed by Smt. D. Kanaka Laxmi, W/o: Chandraiah, R/o:  
Narsaipally, Maddur(M) Erstwhile Warangal District with a request to appraise the  
same before the Hon'ble H.C. for disposal of the CC.  
The P.S. to Hon'ble Minister for Tribal Welfare.  
The P.S. to the Prl. Secretary to Govt.(TW).  
SC/SF.

//FORWARDED::BY ORDER//

SECTION OFFICER